

IN THE DRAWINGS

The attached sheets of drawings includes changes to Figs. 3b, 4b, and 8b. These sheets, which include Figs. 1-10, replace the original sheets including Figs. 1-10.

Attachment: Replacement Sheets (5).

REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended, is respectfully requested.

Claims 30-35, 38-45, and 47-58 are pending the in present application. By the present amendment, Claims 30, 31, 33, 57, and 58 are amended, Claims 36, 37, and 46 are canceled without prejudice or disclaimer, and no claims are added. The amendments to Claims 30 and 58 are supported at least by Figs. 3b, 4b, 6, 7, 8b, 9b, and 9c. Support for the amendments to Claims 31, 33, and 57 is self-evident. Higher-resolution replacement drawings are also submitted herewith and include amendments to Figs. 3b, 4b, and 8b to depict a second reference character (12) for clarity. No issues of new matter are raised by the present amendment or the replacement drawings.

As a preliminary matter, Applicants note that the reference to Claims 1-29 in the outstanding Restriction Requirement is being interpreted as referencing Claims 30-58, as Claims 1-29 were canceled and Claims 30-58 were added in the preliminary amendment filed at the time the present application was filed.

In response to the Restriction Requirement, Applicants provisionally elect, with traverse, Group I, Claims 30-57 for further prosecution in the present application. In response to the Election of Species Requirement, Applicants elect Species A, Fig. 3b, and list Claims 30, 32-35, 45, and 47-57 as readable thereon. Applicants respectfully submit that at least Claims 30, 32, 33, and 47-57 are generic. The elections are provisional inasmuch as the following remarks traverse the Restriction and Election of Species Requirement.

The Restriction Requirement is traversed for the following reasons. The Restriction Requirement asserts that Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

Group I is drawn to a glazing unit which is an apparatus. Group II is drawn to a method of overmolding a frame of peripheral elements. The two groups do not share a single general inventive concept because the method involves steps that are commonly practiced and known in the art without incorporating any special or technical features of the apparatus claims.

PCT Rule 13.2 states that unity of invention referred to in Rule 13.1 is fulfilled

when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression “special technical features” shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

Applicants note that amended Claims 30 and 58 at least both include the features of “two projecting parts” and “the pocket formed by the web part and the at least two projecting parts is not open in a direction of the glazed element.” These features are common special technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art. Therefore, amended Claims 30 and 58 share a corresponding special technical feature as required by PCT Rule 13.2 and should be examined together under the Unity of Invention standard.

The Election of Species Requirement is traversed for the following reasons.

Applicants respectfully submit that an Election of Species Requirement based on figures is **inapplicable to the Unity of Invention standard**, and therefore, Figs. 3b, 4b, 5-7, 8b, 9b, 9c, and 10 of the present specification are available as support, if necessary, for future amendments.

Additionally, MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully traverse the outstanding Requirement on the grounds that a search and examination of the entire application would not place a serious burden on the Examiner.

Therefore, for at least the above-noted reasons, it is respectfully requested that the Restriction Requirement and the Election of Species Requirement be withdrawn.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Philippe J.C. Signore, Ph.D.
Attorney of Record
Registration No. 43,922

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)

Michel E. Bohn
Registration No. 64,814